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Examiner: Benjamin C. Lee

Group: 2612

Date: June 12, 2007

Client Code: 3703.1000-001

Facsimile No.: 571-273-8300

From: David J. Thibodeau, Jr.

Subject: Terminal Disclaimers

Docket No.: 3703.1000-001

Applicant: Joshua M. Girvin and John W. Lerch

Application No.: 10/806,658

Filing Date: March 23, 2004

Number of pages including this cover sheet: 6

Please confirm receipt of facsimile: Yes ☒ No ☐

Comments:

Enclosed are copies of the four (4) Terminal Disclaimers filed on
January 22, 2007, per Examiner Lee's request.

732192_1

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
1-22-07	<i>Nadine Z. Kueh</i>
Date	Signature
<i>Nadine Z. Kueh</i>	
Typed or printed name of person signing certificate	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant: Joshua M. Girvin and John W. Lerch
Application No.: 10/806,658
Filed: March 23, 2004
Confirmation No.: 1153
Title: NON-REUSABLE IDENTIFICATION DEVICE
Docket No. 3703.1000-001

Sir:

Please find enclosed four (4) Terminal Disclaimers, for filing in the above-referenced application.

The statutory fee in the amount of \$520 for filing the disclaimers is attached. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By *David J. Thibodeau, Jr.*
David J. Thibodeau, Jr.
Registration No.: 31,671
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

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**TERMINAL DISCLAIMER TO OBLIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT****RECEIVED
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In re Application of: Joshua M. Gurvin and John W. Lerch

JUN 12 2007

Application No. 10/806,638

Filed March 23, 2004

Confirmation No.. 1153

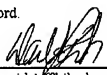
For: NON-REUSABLE IDENTIFICATION DEVICE

The owner, Proximities, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 7,042,357. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is an attorney or agent of record.

1/22/07
Date

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION****RECEIVED
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In re Application of: Joshua M. Girvin and John W. Lerch

Application No. 10/806,658

Filed: March 23, 2004

Confirmation No.: 1153

For: NON-REUSABLE IDENTIFICATION DEVICE

The owner, Proximities, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term (defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 11/397,410, filed on April 4, 2006) of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
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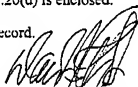
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